

STATE OF CALIFORNIA
CRIME / INCIDENT REPORT
PART B2- STAFF
CDC 837-B2 (09/03)

PAGE 9 OF 12

INSTITUTION RECEIVED CAL APPEALS OCT 06 2006		FACILITY GAL		FACILITY A		INCIDENT LOG NUMBER	
STAFF (ENTIRE SHEET)							
NAME: LAST Weitzell		FIRST P.	MI L.	TITLE ACCT CLERK II	SEX E	ETHNICITY WHI	RDO'S S/S/H
CHECK ONE		BADGE # N/A	ID # 176333	POST ASSIGN. #	POSITION ACCOUNTING OFFICE		
<input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input checked="" type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		DESCRIPTION OF INJURIES: [Handwritten Note: N/A]					
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A		NAME/LOCATION OF HOSP./TREAT. FACILITY [Handwritten Note: N/A]		USED FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PROCESSED EVIDENCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
				TYPE: _____			
NAME: LAST Crittenton		FIRST S	MI C	TITLE Co	SEX M	ETHNICITY BLA	RDO'S SIS
CHECK ONE		BADGE # 60444	ID # 176230	POST ASSIGN. # 220247	POSITION STI #7		
<input checked="" type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		DESCRIPTION OF INJURIES: [Handwritten Note: N/A]					
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A		NAME/LOCATION OF HOSP./TREAT. FACILITY [Handwritten Note: N/A]		USED FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PROCESSED EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
				TYPE: _____			
NAME: LAST Canada		FIRST V	MI C	TITLE Co	SEX M	ETHNICITY W	RDO'S SPH
CHECK ONE		BADGE # 59139	ID # 176276	POST ASSIGN. # 220245	POSITION STI #5		
<input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input checked="" type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		DESCRIPTION OF INJURIES: [Handwritten Note: N/A]					
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A		NAME/LOCATION OF HOSP./TREAT. FACILITY [Handwritten Note: N/A]		USED FORCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PROCESSED EVIDENCE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
				TYPE: _____			
NAME: LAST		FIRST	MI	TITLE	SEX	ETHNICITY	RDO'S
CHECK ONE		BADGE #	ID #	POST ASSIGN. #	POSITION		
<input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		DESCRIPTION OF INJURIES: [Handwritten Note: N/A]					
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> DECEASED DATE: _____ <input type="checkbox"/> N/A		NAME/LOCATION OF HOSP./TREAT. FACILITY [Handwritten Note: N/A]		USED FORCE <input type="checkbox"/> YES <input type="checkbox"/> NO	PROCESSED EVIDENCE <input type="checkbox"/> YES <input type="checkbox"/> NO		
				TYPE: _____			
NAME: LAST		FIRST	MI	TITLE	SEX	ETHNICITY	RDO'S
CHECK ONE		BADGE #	ID #	POST ASSIGN. #	POSITION		
<input type="checkbox"/> PRIMARY <input type="checkbox"/> CAMERA <input type="checkbox"/> RESPONDER <input type="checkbox"/> WITNESS <input type="checkbox"/> VICTIM		DESCRIPTION OF INJURIES: [Handwritten Note: N/A]					
<input type="checkbox"/> HOSPITALIZED <input type="checkbox"/> TREATED & RELEASED <input type="checkbox"/> REFUSED TREATMENT <input type="checkbox"/> DECEASED DATE: SEP SCREENED OUT <input type="checkbox"/> N/A		NAME/LOCATION OF HOSP./TREAT. FACILITY [Handwritten Note: N/A]		USED FORCE <input type="checkbox"/> YES <input type="checkbox"/> NO	PROCESSED EVIDENCE <input type="checkbox"/> YES <input type="checkbox"/> NO		
				TYPE: _____			

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OCT 06 2006

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Filed 07/11/2008

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STATE OF CALIFORNIA

CRIME / INCIDENT REPORT

PART C1-SUPPLEMENT

CDCR 837-C1 (Rev. 07/05)

CAL

DEPARTMENT OF CORRECTIONS AND REHABILITATION

A 0602524

RECEIVED CAL APPEALS OCT 06 2006

PAGE 7 OF 12

INCIDENT LOG NUMBER

CAL.CEN-06-07-0244

NAME: LAST

FIRST

MI

WEITZEL RECEIVED CAL APPEALS OCT 20 2006

P.

L.

TYPE OF INFORMATION:

 CONTINUATION OF REPORT CLARIFICATION OF REPORT ADDITIONAL INFORMATION

NARRATIVE:

I continued to maintain contact with S&I Officer Crittendon and was able to confirm through a review of Inmate Janoe's Trust Account that he had received approximately over \$4,345.03 that was posted to his Trust Account beginning April 27, 2006. Inmate Janoe had Trust Account withdrawals totalling \$529.52 in legal charges, filing fees, canteen, and personal aid to his mother as noted on the original Trust Account Withdrawal orders signed by Inmate Janoe.

It should be noted, upon further review of Inmate Janoe's Trust Account activity prior to receiving the first check on April 27, 2006 Inmate Janoe was indigent for approximately five to six months. Beginning in June 03, 2005 Inmate Janoe had not received any funds from the general public and had only received Inmate pay of approximately \$10.00 monthly.

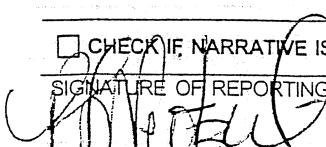
Numerous additional checks and money orders were received for Inmate Janoe's account, which were also of a suspicious nature and appeared to be stolen. These checks and money orders were turned over to S&I Officer Crittendon and not posted to his account pending the completion of Officer Crittendon's investigation. Refer to Officer Crittendon's report for detailed information regarding the amounts of each stolen checks and/or money orders.

On Thursday, July 13, 2006, at approximately 1430 hours Inmate Janoe's Trust Account funds were frozen at the request of S&I Lt. G. Stratton, who advised me that the investigation into Inmate Janoe's illegal activities had been completed. Lt. Stratton advised me that Officer Crittendon had confirmed that through his contacts the checks and money orders had been stolen.

As a result of Inmate Janoe's actions and involvement in this illegal activity the State of California and Calipatria State Prison has lost a total of approximately \$529.52. If the charges were to be reversed or stop payments issue the State will still incur a loss, due to the services already being rendered.

This concludes my report.

 CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL C1

SIGNATURE OF REPORTING STAFF 	TITLE C/O	BADGE # 176333	ID # 176333	DATE 07/20/06
NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE) 	DATE RECEIVED 120106	APPROVED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CLARIFICATION NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE

Distribution: Original: Incident Package

Copy: Reporting Employee

Copy: Reviewing Supervisor

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OCT 06 2006

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SEP 29 2006

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STATE OF CALIFORNIA RECEIVED CAL APPEALS SET 29 2006

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT

PART C1-SUPPLEMENT

CDCR 837-C1 (Rev. 07/05)

RECEIVED CAL APPEALS OCT 06 2006

NAME: LAST CRITTENDON RECEIVED CAL APPEALS OCT 20 2006

TYPE OF INFORMATION:

 CONTINUATION OF REPORT CLARIFICATION OF REPORT ADDITIONAL INFORMATION

NARRATIVE:

On June 23, 2006, (CAL) Accounting Dept Personnel reported that Inmate Janoe submitted a Trust Account Withdrawal Order dated, May 25, 2006 for the amount of \$1100.00 dollars, for Financial Assistance to his mother Marilyn Janoe, P.O. Box 843, Rialto Ca. 92377. On June 20, 2006, at approximately 1130 hours, I conducted a cell search inside Inmate Janoe's cell and discovered the following 6 empty envelopes and placed them into evidence.

1. Envelope dated April 24, 2006 with a return address with the name Brett Janoe, P.O. Box 651, Running Springs, Ca. 92382 containing 2 money orders #47644617207 for the amount \$222.20 and #08-488156874.
2. Envelope dated April 24, 2006 with a return address with the Initials B.J. 651, RS, Ca. 92382, with check #010006 for the amount of \$2,021.51 with a hand written note from Brett Janoe telling his brother Inmate Janoe, "Let me know what you need!" "I 'll send more money in a couple of days".
3. Envelope dated April 24, 2006 with a return address with the Initials B.J. 652, RS, Ca. 92382 with check #6872 for the amount of \$1,298.02 with a hand written note of check amounts and balances from Inmate Janoe.
4. Envelope dated May 02, 2006 with a return address P.O. Box 651 R. S. Calif. 92382 containing 3 money orders #7-41909243, #47541474860 for the amount of \$239.98, #48035015842.
5. Envelope dated May 02, 2006 with a return address P.O. Box 651 R.S. Calif. with checks #8164598 and #724788.
6. Envelope dated May 30, 2006 with no return address with check #206430 for the amount of \$3,187.00 dollars written on it.

On Thursday, June 21, 2006, at approximately 1530 hours, San Bernardino Sheriff's Dept. Twin Peaks Detective Pelkey contacted this Institution. Detective Pelkey confirmed that Brett Harvey Janoe and 2 other suspects were arrested for a Burglary of a United States Post Office on May 31, 2006, and are currently in West Valley Detention Facility, located in San Bernardino Ca. (Report #050602045).

The Security and Investigations Unit discovered that 10 altered checks were mailed to Inmate Janoe, J25333/A1-150 from his brother, Brett H. Janoe, from April 27, 2006 through May 30, 2006. Brett H. Janoe is currently in jail at West Valley Detention Facility, San Bernardino Sheriff's Dept., for Burglary. The Security & Investigations Unit was able to verify that 5 of the checks were confirmed stolen and 4 of the following checks were deposited into Janoe's trust account.

 CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL C1

SIGNATURE OF REPORTING STAFF <i>S. Crittenton</i>	TITLE C.O.	BADGE # 60,444	ID # 176230	DATE 07/24/06
NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE) <i>G. Stratton</i>	DATE RECEIVED 7/24/06	APPROVED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CLARIFICATION NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE

Distribution: Original Incident Package Copy: Reporting Employee Reviewing Supervisor
RECEIVED CAL APPEALS OCT 06 2006

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STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CRIME / INCIDENT REPORT

PART C-STAFF REPORT APPEALS OCT 06 2006
CDCR 837-C (Rev. 07/05)PAGE 11 OF 12

INCIDENT LOG NUMBER

CAL-CEN-06-07-0244

NAME: LAST CANADA	FIRST CAL APPEALS OCT 2006	MI C.	DATE OF INCIDENT 07/18/06	TIME OF INCIDENT 900
POST # 220245	POSITION S&I #5	YEARS OF SERVICE 9 YR. 11 MO.	DATE OF REPORT 07/20/06	LOCATION OF INCIDENT Accounting Office A Facility
RDO's S/SU/H	DUTY HOURS 0800-1600	DESCRIPTION OF CRIME / INCIDENT Receiving Stolen Checks & Money Orders/Embezzlement		CCR SECTION / RULE <input type="checkbox"/> N/A

YOUR ROLE	WITNESSES (PREFACE S-STAFF, V-VISITOR, O-OTHER)	INMATES (PREFACE S-SUSPECT, V-VICTIM, W-WITNESS)
<input type="checkbox"/> PRIMARY	S. CRITTENDON (S)	JANOE J25333/A1-150
<input checked="" type="checkbox"/> RESPONDER		
<input type="checkbox"/> WITNESS		
<input type="checkbox"/> VICTIM		
<input type="checkbox"/> CAMERA		

FORCE USED BY YOU	WEAPONS AND SHOTS FIRED BY YOU	CHEMICAL AGENTS USE BY YOU																															
<input type="checkbox"/> WEAPON <input type="checkbox"/> PHYSICAL <input type="checkbox"/> CHEMICAL <input checked="" type="checkbox"/> NONE	<table border="0"> <tr> <td><u>NO:</u></td> <td><u>NO:</u></td> <td><u>TYPE:</u></td> </tr> <tr> <td><input type="checkbox"/> MINI-14</td> <td><input type="checkbox"/> 37MM</td> <td></td> </tr> <tr> <td><input type="checkbox"/> 9 MM</td> <td><input type="checkbox"/> 40 MM</td> <td></td> </tr> <tr> <td><input type="checkbox"/> 38 CAL</td> <td><input type="checkbox"/> L8</td> <td></td> </tr> <tr> <td><input type="checkbox"/> SHOTGUN</td> <td><input type="checkbox"/> 40 MULTI</td> <td></td> </tr> <tr> <td><input type="checkbox"/> N/A</td> <td><input type="checkbox"/> HFWRS</td> <td></td> </tr> <tr> <td></td> <td><input type="checkbox"/> BATON</td> <td></td> </tr> </table>	<u>NO:</u>	<u>NO:</u>	<u>TYPE:</u>	<input type="checkbox"/> MINI-14	<input type="checkbox"/> 37MM		<input type="checkbox"/> 9 MM	<input type="checkbox"/> 40 MM		<input type="checkbox"/> 38 CAL	<input type="checkbox"/> L8		<input type="checkbox"/> SHOTGUN	<input type="checkbox"/> 40 MULTI		<input type="checkbox"/> N/A	<input type="checkbox"/> HFWRS			<input type="checkbox"/> BATON		<table border="0"> <tr> <td><input type="checkbox"/> OC</td> <td></td> </tr> <tr> <td><input type="checkbox"/> CN</td> <td></td> </tr> <tr> <td><input type="checkbox"/> CS</td> <td></td> </tr> <tr> <td><input type="checkbox"/> OTHER:</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> N/A</td> <td></td> </tr> </table>	<input type="checkbox"/> OC		<input type="checkbox"/> CN		<input type="checkbox"/> CS		<input type="checkbox"/> OTHER:		<input checked="" type="checkbox"/> N/A	
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<input type="checkbox"/> OTHER:																																	
<input checked="" type="checkbox"/> N/A																																	
FORCE OBSERVED BY YOU <input type="checkbox"/> WEAPON <input type="checkbox"/> PHYSICAL <input type="checkbox"/> CHEMICAL <input checked="" type="checkbox"/> NONE																																	

EVIDENCE COLLECTED BY YOU	EVIDENCE DESCRIPTION	EVIDENCE DISPOSITION	BIO HAZARD	PPE
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	See Body of Report <input type="checkbox"/> N/A	See Body of Report <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

REPORTING STAFF INJURED	DESCRIPTION OF INJURY	LOCATION TREATED (HOSPITAL / CLINIC)	FLUID EXPOSURE	SCIF 3301 / 3067 COMPLETED
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A		<input type="checkbox"/> BODILY <input type="checkbox"/> UNKNOWN <input checked="" type="checkbox"/> N/A <input type="checkbox"/> OTHER:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

NARRATIVE:				
<p>On Tuesday, June 13, 2006 at approximately 1000 hours, while performing my duties as Security and Investigations (S&I) Officer #5 I received two (2) separate envelopes addressed to Inmate Bobby Janoe J25333/A1-150 from the Inmate Trust Account Tech. W. Necuik. The first letter contained two (2) separate checks entitled "Medicare Payment", both made out to J. Robert West MD Inc. P.O. Box 2150 Redlands, CA 92373-0701 and to Bobby Janoe #J25333 in a visibly bolder font, (see attached copies). The first check serial number was #146931908 made in the amount of \$5,190.87 and the second check serial number was #146931907 made in the amount of \$5,727.19. The second envelope contained a letter dated "5-16-06" and a third check from East Valley Water District" written to "Bobby Janoe #J25333" PO Box 5069 San Bernardino, CA 92412-5069. It should be noted Inmate Janoe's name is in a visibly bolder font and appears to be written over another person's name. The serial number is 206430 and made in the amount of \$3,187.00. The envelopes of both the first and second check were postmarked San Bernardino May 17, 2006.</p>				

 CHECK IF NARRATIVE IS CONTINUED ON PART C1

SIGNATURE OF REPORTING STAFF 	TITLE C/O	BADGE # 55139/176276	DATE 07/20/06
NAME AND TITLE OF REVIEWER (PRINT / SIGNATURE) 	DATE RECEIVED 7/20/06	APPROVED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CLARIFICATION NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
			DATE

EXHIBIT

F

SERIOUS RULES VIOLATION - PORT

CDC NUMBER J-25	INMATE'S NAME RECEIVED CAL APPEALS	VIOLATED RULE NO(S). SEP 25 2006	DATE 7-12-06	INSTITUTION CSP-CAL	LOG NO. 07-06-A-005
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REFERRAL FOR FELONY PROSECUTION IS UNLIKELY IN THIS INCIDENT

 YES NO

RECEIVED CAL APPEALS SEP 29 2006

POSTPONEMENT OF DISCIPLINARY HEARING

<input checked="" type="checkbox"/> I DO NOT REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ► X	DATE 7-12-06
<input type="checkbox"/> I REQUEST my hearing be postponed pending outcome of referral for prosecution. RECEIVED CAL APPEALS OCT 06 2006	INMATE'S SIGNATURE ►	DATE

DATE NOTICE OF OUTCOME RECEIVED
RECEIVED CAL APPEALS OCT 20 2006

<input type="checkbox"/> I REVOKE my request for postponement.	INMATE'S SIGNATURE ►	DATE
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STAFF ASSISTANT

STAFF ASSISTANT <input type="checkbox"/> REQUESTED	WAIVED BY INMATE <input type="checkbox"/>	INMATE'S SIGNATURE ►	DATE
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ASSIGNED	DATE 7-12-06	NAME OF STAFF N. MELIA	
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NOT ASSIGNED	REASON	
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INVESTIGATIVE EMPLOYEE

INVESTIGATIVE EMPLOYEE <input type="checkbox"/> REQUESTED	WAIVED BY INMATE <input type="checkbox"/>	INMATE'S SIGNATURE ►	DATE
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ASSIGNED <input checked="" type="checkbox"/>	DATE 7-12-06	NAME OF STAFF N. MELIA	
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NOT ASSIGNED	REASON	
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EVIDENCE / INFORMATION REQUESTED BY INMATE:

WITNESSES

WITNESSES REQUESTED AT HEARING (IF NOT PRESENT, EXPLAIN IN FINDINGS)

 REPORTING EMPLOYEE STAFF ASSISTANT INVESTIGATIVE EMPLOYEE OTHER NONE

WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)	GRANTED <input type="checkbox"/> <input type="checkbox"/>	NOT GRANTED <input type="checkbox"/> <input type="checkbox"/>	WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)	GRANTED <input type="checkbox"/> <input type="checkbox"/>	NOT GRANTED <input type="checkbox"/> <input type="checkbox"/>
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INVESTIGATIVE REPORT: Investigative Employees must interview the inmate charged, the reporting employee, and any others who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents may also be necessary.

SCREENED OUT SCREENED OUT	INVESTIGATOR'S SIGNATURE OCT 06 2006	DATE
COPY OF DOCUMENT GIVEN INMATE SCREENED OUT SEP 5 2006	BY: (STAFF'S SIGNATURE) SEP 5 2006	TIME

STATE OF CALIFORNIA

RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS
PAGE 2 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input checked="" type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER				

On Friday, August 4, 2006, at approximately 1505 hours, Inmate JANOE, CDC# J-25333, appeared before me for adjudication of this Rules Violation Report (RVR). I introduced myself as the Senior Hearing Official (SHO) for this disciplinary hearing and explained the hearing rules and procedures. Inmate JANOE stated that he was in good health, and acknowledged receipt of all reports 24 hours prior to this hearing and was ready to proceed with this hearing. All time constraints and due processes *have* been met. Inmate JANOE acknowledged receipt of all reports and/or pertinent documents more than twenty-four (24) hours in advance of the hearing as required per CCR §3320 (c)(2). Inmate JANOE *is not* a participant in the Mental Health Services Delivery System (MHSDS), Disability Placement Program (DPP), or the Developmental Disability Program (DPP). Inmate JANOE *does not* appear on the Testing Literacy Report as having a TABE score of 4.0 or below.

STAFF ASSISTANT: A Staff Assistant was not assigned: per §3315(d) (2).

INVESTIGATIVE EMPLOYEE: An Investigative Employee was not assigned per §3315(d) (1).

Inmate JANOE requested that his hearing *not be* postponed pending resolution of possible referral to the District Attorney's office for criminal prosecution as indicated by his signature on the CDC Form 115-A..

INMATE'S PLEA: The charges were read to Inmate JANOE, and he plead "**NOT GUILTY.**"

INMATE'S STATEMENT: Inmate JANOE made the following statement:

"I have not seen my brother in over twenty years. The last time I saw him he stole property from me and my mom and then he disappeared. I am surmising that he took it and sold it for money, now this is twenty years later. I have been down for Fifteen years. So out of the blue, my other brother "Brian Scott" just happened to run into Brent's former wife. I do not know her name, but they said lets go talk to Brent. I do not know what they were talking about, but I'm guessing that Brent told Brian that I was in prison. Brent tells him that I am doing good and he stated that I will shoot him some funds. That basically the end of there meeting and he left with Brent's former wife"

Brent went to see our mom and she is mad because he stole property from her.

Inmate stated that he had three (3) typed declarations from his mother, his brother Brian Scott and his own declaration.

The SHO elected to review the declarations submitted the sworn declarations as Inmate Janoe's continued statement

WITNESSES: Inmate chose not to have witnesses at this hearing.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>		DATE SIGNED <i>8/4/06</i>
GIVEN BY: (Staff's Signature) <i>J. Olivarez</i>		DATE SIGNED <i>8/24/06</i>
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE		TIME SIGNED <i>2006</i>

STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS
APPEALED CAL APPEALS OUT 8/0/2006DEPARTMENT OF CORRECTIONS
PAGE 3 OF 12

RULES VIOLATION REPORT - PART C

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER _____				

Declaration submitted by Inmate Janoe, for one Brian Scott Janoe which states in part"

1. I do have personal knowledge of the facts stated herein, of Bret Harvey Janoe contacting Bobby Shawn Janoe in the months of April to May 2006, and could testify to there truth if called as a witness.

2. Approximately the second week of April 2006, I ran into Bret's former wife by accident. I had not seen Bret in approximately twenty years. Bret's former wife took me to see Bret. Upon meeting Bret, he stated to me that he was doing good and staying out of trouble. Bret asked about Bobby Shawn Janoe, as how he was doing. Bret was distressed to learn Bobby Shawn Janoe was in prison at Calipatria state Prison. Bret stated that he would try and send Bobby Shawn Janoe some funds when he could.

3. To be honest, I did not believe Bret's comments as we talked. But I wanted to believe he had changed for the better and gave him the benefit of the doubt, as to there truthfulness.

Declaration submitted by Inmate Janoe, for one Marilyn Janoe which states in part:

1. I do have personal knowledge of the facts stated herein, of Bret Harvey Janoe contacting Bobby Shawn Janoe in the months of April to May 2006, and could testify to there truth if called as a witness.

3. Approximately the third (third) week of April 2006 as I spoke to Bobby Shawn Janoe on the telephone, I mentioned that Brian had seen Bret and Bret said he was doing good and would try to send him some funds when he got a chance. Bobby Shawn Janoe was skeptical of Bret and really did not want to talk about Bret, as Bret had stolen his property twenty years earlier.

Declaration submitted by Inmate Janoe which states in part:

1. I do have personal knowledge of the facts stated herein and could testify to there truth if called as a witness.

2. Approximately the third (third) week of April 2006, I was talking with my mother, Marilyn Janoe, on the telephone. She mentioned that my brother Brian Scott Janoe had ran into Bret Harvey Janoe's former wife by accident; that brian went to visit with Bret; that Bret stated he was doing good; that Bret was distressed to learn Bobby Shawn Janoe was in prison at Calipatria State Prison; that Bret stated he would try to send some funds when he could.

3. I was skeptical about the news of Bret, and did not want to talk about Bret, as he had stolen my property about twenty years earlier and did disappear.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>	DATE SIGNED <i>8/4/06</i>
GIVEN BY: (Staff's Signature) <i>J. Olivarez</i>	DATE SIGNED <i>8/24/06</i>
COPY OF CDC 115-C GIVEN TO INMATE <input checked="" type="checkbox"/>	TIME SIGNED <i>2000</i>

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT - PART C *MAY 20 2006*

PAGE 4 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/01/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

4. Approximately the last week of April 2006, I received two envelopes with no letters in them, but there was numerical writing on the outside of the envelope and some other writing about obtaining a attorney for me. I had no ideal what was going on since I had not spoken to Bret in twenty years. I thought Bret was feeling guilty about stealing my property twenty years earlier and was trying to make amends by sending funds.

5. I wrote Bret and thanked him for the funds and told him not to give any funds to an attorney until he had spoken to me prior.

6. Approximately May 3, 2006, I turned in a trust account withdrawal form order to counselor Nava, for 99.00 dollars to my mother for financial aid.

7. I turned in a ducat for 75.00 dollars to go to canteen.

8. Approximately the 4th or 5th of May 2006, I received three more envelopes from Bret, with no letters inside, but with some numerical writing on the outside of the envelopes.

9. I wrote Bret once again thanking him for the funds and asked him what is going on.

10. Approximately May 24, 2006, I turned in a trust account withdrawal order to counselor Nava for 1,100.00 to my mother for financial aid.

11. I cannot remember when, but I did receive another envelope from Bret with some numerical writing on the outside of the envelope, but no letter inside.

12. Approximately June 19, 2006 the security and investigations unit rushed to my assigned cell in the am. They threw my property all over the cell and proceeded to confiscate every piece of paper in the cell; all letters; phone books; and photos. I asked Officer Canada what the problem was, but he refused to respond. I was escorted back to my assigned cell after the search was completed.

13. Approximately June 20, 2006, Officer Crittendon and Sergeant Rutledge returned all of my property, minus the six envelopes I had received from Bret. Officer Crittendon asked me to sign the Cell/Locker search receipt, to acknowledge they confiscated the six envelopes I had received from Bret and I did. I asked Officer Crittendon what was going on, but he refused to even discuss the matter at all. I asked Sergeant Rutledge what was going on, but he too refused to discuss the matter at all.

14. Approximately June 28, 2006 I turned in a trust account withdrawal order to counselor Nava for 350.00 dollars to the federal court in San Diego California.

15. I turned in a ducat for 50.00 dollars to go to canteen.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>		DATE SIGNED <i>8/4/06</i>
<input checked="" type="checkbox"/>	GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>	DATE SIGNED <i>8/24/06</i>
COPY OF CDC 115-C GIVEN TO INMATE		TIME SIGNED <i>2000</i>

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT - PART C *MAR 20 2006*

PAGE 5 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/01/06	
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT	<input type="checkbox"/> OTHER

16. Approximately July 5, 2006 I turned in a trust account withdrawal order to counselor Nava for 100.00 dollars to go to the Superior Court in El Centro California.

17. Approximately July 10, 2006 I spoke to a counselor in 1 building about my trust, as my trust account withdrawals were not being processed.

18. Approximately July 11, 2006 I requested Officer Rodriguez to contact the trust account office to see what the problem was with my trust account. I spoke with Miss Weitceil in the trust account office, who stated that Lieutenant Stratton had put a freeze on the withdrawal of any funds from my account.

19. Approximately July 12, 2006 I was called to the program office on A-Yard, wherein facility Captain Nelson and Lieutenant Stratton informed me that I was being issued a Serious Rules Violation (115) for possession of stolen property and check fraud.

20. Approximately July 13, 2006, I typed a letter to Miss Weitceil, making a request that a notation be placed on my account, so that no personal checks be accepted for placement onto to my trust account ever again.

21. Approximately July 14, 2006 I received a copy of my trust account activity, wherein funds were being withdrawn from my account.

22. Approximately July 16 2006 I typed a letter to Miss Weitceil in the trust account office, explaining that funds were being withdrawn from my account and that those funds were ill gotten and no one could lay claim to those funds until the fraud investigation was completed.

Inmate Janoe stated that there was no evidence that he had knowledge that the checks being deposited into his account were stolen.

Inmate Janoe inquired about the mail room procedure for processing monies and asked if staff were trained to identify altered checks. Inmate Janoe was advised that most mail is processed via a sorting machine. Envelopes are opened and if a check or money order is present the amount and type is notated on the outside of the envelope and forwarded to accounting for processing.

In review of the envelopes recovered from Inmate Janoe's cell, the SHO believes that Inmate Janoe knew that his brother "Bret" was depositing large amounts of funds into his account in a very short period of time. As documented on the attached Inmate Trust Account print out on the date of April 27, 2006, \$3,694.21 dollars were deposited into his account by Bret Janoe. However, Inmate Janoe stated in his declaration #3 "I was skeptical about the news of Bret, and did not want to talk about Bret, as he had stolen my property about twenty years earlier and did disappear."

Within an eight day period, Inmate Janoe had a combined total of \$4,909.53 dollars placed into his trust account from a brother that he has identified as having once stolen personal property from him, yet claims that he had no knowledge that the funds being deposited were illegally obtained.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>		DATE SIGNED <i>8/4/06</i>
GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>		DATE SIGNED <i>8/24/06</i>
COPY OF CDC 115-C GIVEN TO INMATE		TIME SIGNED <i>2000</i>

STATE OF CALIFORNIA

RULES VIOLATION REPORT - PART C

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/01/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

FINDINGS: Inmate JANOE found "Guilty" of violating CCR, Section §3012 for the specific act of "POSSESSION OF A STOLEN PROPERTY AND CHECK FRAUD." This finding was based on a preponderance of evidence submitted at the hearing, which is considered valid and does substantiate the charge. The evidence includes:

Information contained in incident package # CAL-CEN-06-07-0244, CDC-837 authored by Correctional Officer S. Crittendon dated July 11, 2006, CDC-837 supplemental authored by Correctional Office V. Canada, CDC-837 authored by Accounting Clerk II P. Weitzeil, CDC-115C, Supplemental Report authored by G. Shepherd, 2nd CDC-115 supplemental report authored by Correctional Office V. Canada and Seventeen (17) photocopies of evidence collected and/or recovered from Inmate Janoe's cell.

- 1) The Reporting Employee's written Report, Which States: On Wednesday, July 5, 2006, Security and Investigations Unit concluded its investigation into numerous' altered checks received at Calipatria State prison (CAL) for Inmate Janoe (J-25333, A1-150).

On Tuesday, June 13, 2006, at approximately 1000 hours, Security and Investigations (S&I) Officer #5 V. Canada received 2 separate original checks serial #146931907 for the amount of \$5,727.19 and serial #146931908 for the amount of \$5,190.87 from Calipatria State Prison (CAL) Inmate Trust Account Office Personnel. CAL Accounting Office received the checks on May 17, 2006 via United State Postal Services.

The checks were endorsed for payment to J. Robert West MD Inc, P.O. Box 2150, Redlands Ca. 92373-0701 with Inmate Janoe, J25333/A1-150 name and CDCR number typed in bold letters and underlined underneath the original endorsee. National Heritage Insurance Company (NHIC) generated the checks.

The third (3rd) check serial #206430 was generated by East Valley Water District (EVWD), P.O. Box 3427 San Bernardino Ca, for the amount of \$3.187.00 with a hand written letter enclosed, dated 5-16-06 from Brett Janoe.

CAL Accounting Office received the checks on May 17, 2006. The checks are endorsed to Inmate Janoe, J25333, by typing in bold letters over the original endorsee name. A hand written 2-page letter, dated 5-16-06 was also enclosed with check #206430 and stated the following: The hand written letter indicated that "Bret Janoe" has a court case coming up next month and he needs to raise \$300,000.00 dollars to fight his case from the streets.

Bret's homeboy (unknown at this time) enclosed \$5,000 dollars for you (Referring to Inmate Janoe) plus another \$5,000.00 dollars. Bret tells (Inmate Janoe) once it clears his account, take half of it and send the other half (\$5,000.00 dollars) back to him in a State of California check. (See attached)

On June 23, 2006, (CAL) Accounting Dept Personnel reported that Inmate Janoe submitted a Trust Account Withdrawal Order dated, May 25, 2006 for the amount of \$1100.00 dollars, for Financial Assistance to his mother Marilyn Janoe, P.O. Box 843, Rialto Ca. 92377. (See attached copy of Janoe's Inmate Trust Withdrawal Form) On June 20, 2006, at approximately 1130 hours, I conducted a cell search inside Inmate Janoe's cell and discovered the following 6 empty envelopes. (See attached copies of envelopes)

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>	DATE SIGNED 8/24/06		
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE S. Olivarez	GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>	DATE SIGNED 8/24/06	TIME SIGNED 2000

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STATE OF CALIFORNIA *RECEIVED ORAL APPEALS OCT 20 2006*
RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS
 PAGE 7 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER				

1. Envelope dated April 24, 2006 with a return address with the name Brett Janoe, P.O. Box 651, Running Springs, Ca. 92382 containing 2 money orders #47644617207 and #08-488156874 for a combined total in the amount of \$222.20.

2. Envelope dated April 24, 2006 with a return address with the Initials B.J., 651, RS, Ca. 92382, with check #010006 for the amount of \$2,021.51 with a hand written note from Brett Janoe telling his brother Inmate Janoe, "Let me know what you need!" "I'll send more money in a couple of days".

3. Envelope dated April 24, 2006 with a return address with the Initials B.J. 652, RS, Ca. 92382 with check #6872 for the amount of \$1,298.02 with a hand written note of check amounts and balances from Inmate Janoe.

(4. Envelope dated May 02, 2006 with a return address P.O. Box 651 R. S. Calif. 92382 containing 3 money orders #7-41909243, #47541474860 for the amount of \$239.98, #48035015842.

5. Envelope dated May 02, 2006 with a return address P.O. Box 651 R.S. Calif. with checks #8164598 and #724788.

6. Envelope dated May 30, 2006 with no return address with check #206430 for the amount of \$3,187.00 dollars written on it.

On Thursday, June 21, 2006, at approximately 1530 hours, San Bernardino Sheriff's Dept. Twin Peaks Detective Pelkey called. Detective Pelkey confirmed that Bret Harvey Janoe and 2 other suspects were arrested for a Burglary of a United States Post Office on May 31, 2006, and are currently in West Valley Detention Facility, located in San Bernardino Ca. (Report #050602045).

The Security and Investigations Unit discovered that 10 altered checks were mailed to Inmate Janoe, J25333/A1-150 from his brother, Brett H. Janoe, from April 27, 2006 through May 30, 2006.

Brett H. Janoe is currently in custody at the West Valley Detention Facility, San Bernardino Sheriff's Dept., for Burglary. The Security & Investigations Unit was able to verify that 5 of the checks were confirmed stolen and 4 of the following checks were deposited into Janoe's trust account. (See attached copies of Trust Account Statement).

- \$2,021.51, #010006 from Phoenix Millwork Distributors, Inc. deposited on 4-27-06.
- \$1,298.02, #6872 from Millwork Products, Inc. deposited on 4-27-06.
- \$222.20, Stater Bros. Inc, Money Order #47644617207 deposited on 4-27-06
- \$239.98, Travelers Express, Money Order #47541474860

The total amount deposited in Janoe's Inmate Trust account totals some \$3,771.71 dollars

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>		DATE SIGNED 8/4/06
GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>		DATE SIGNED 8/24/06
COPY OF CDC 115-C GIVEN TO INMATE <input checked="" type="checkbox"/>		TIME SIGNED 2006

STATE OF CALIFORNIA
HIGHWAY ORAL ATTORNEYS OCT 20 2006

DEPARTMENT OF CORRECTIONS

PAGE 85 OF 12

RULES VIOLATION REPORT - PART C

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER				

Inmate Janoe's current balance in his trust account is \$4,345.03.

Although Inmate Janoe wasn't in a position to view the incoming checks, Inmate Janoe received monthly statements from the Calipatria Accounting Dept, indicating deposits to his account had been made, which would have given him knowledge of his account activities and current funds balance available.

On July 3, 2006, CAL Accounting Dept. reported, Janoe's deposits into his account from April 27, 2006 through May 30, 2006 was approximately \$4,909.53 dollars.

A cash withdrawal in the amount of \$530.30 dollars was withdrawn from the account prior to CAL Accounting's discovery of the altered checks.

A review of Janoe's Trust Account Statement and activity prior to the \$2,021.51 dollar deposits on April 27, 2006 clearly indicated an available zero balance.

2) CDC-837, Crime Incident Report authored by Officer Canada, Security and Investigations Officer #5 which states in part: "On Tuesday, June 13, 2006, at approximately 1000 hours, while performing my duties as Security & Investigations (S&I) Officer #5, I received two (2) separate envelopes addressed to Inmate Bobby Janoe J25333/A1-150 from the Inmate Trust Account Office Technician W. Neciuk. The first letter contained two (2) separate checks entitled "Medicare Payment", both made out to J. Robert West MD Inc. P.O. Box 2150 Redlands, CA 92373-0701 and to Bobby Janoe #J25333 in a visibly bolder font, (see attached copies).

The first check serial number was #146931908 made in the amount of \$5,190.87 and the second check serial number was #146931907 made in the amount of \$5,727.19. The second envelope contained a letter dated "5-16-06" and a third check from East Valley Water District" written to "Bobby Janoe #J25333" PO Box 5069 San Bernardino, CA 92412-5069. It should be noted Inmate Janoe's name is in a visibly bolder font and appears to be written over another person's name. The serial number is 206430 and made in the amount of \$3,187.00. The envelopes of both the first and second check were postmarked San Bernardino May 17, 2006. The return address for both envelopes was:

"B"
Box 651
R.S., Ca 92382"

I advised S&I Sergeant (Sgt.) S. Rutledge of the information and placed the original envelopes, three (3) checks, and the letter into evidence locker #10 at Central Control. A copy of this report was turned over to S&I Officer S. Crittendon as part of an ongoing investigation into illegal activities by Inmate Janoe.

Security and Investigations at Calipatria State Prison will continue to monitor the activities of the inmates whose names appear in this report. Their involvement in illegal activities should be closely monitored and documented when new information is discovered.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>		DATE SIGNED 8/4/06
<input checked="" type="checkbox"/>	GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>	DATE SIGNED 8/24/06
		TIME SIGNED 2000
COPY OF CDC 115-C GIVEN TO INMATE		

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STATE OF CALIFORNIA

RECEIVED CALIFORNIA OCT 20 2006

DEPARTMENT OF CORRECTIONS

PAGE 9 OF 12

RULES VIOLATION REPORT - PART C

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input checked="" type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER				

It should be noted that the information contained in this report was originally deemed Confidential in nature due to an on going investigation. Due to the completion of the investigation it has been reclassified as non-Confidential, (refer to Memorandum #IUR 06-026, dated June 14, 2006, authored by S&I Officer S. Crittendon).

The information on this report does meet the criteria for reliability per CCR Title 15, Section 3321 (c) (4): Part of the information provided is corroborated through investigation or by information provided by non-confidential sources.

I request a copy of this report be placed in the General Section of Inmate Janoe's J25333 Central File.

3) 2nd CDC-837, Crime Incident Report authored by V. Canada, Security and Investigations Officer #5, which states: "On Friday, July 14, 2006, at approximately at approximately 0800 hours, while performing my duties as Security and Investigations (S&I) Officer #5, I was advised by S&I Sergeant (Sgt) Rutledge that two (2) additional money orders serial #57-42718592 for the amount of \$287.67 dollars and serial #08-532968393 for the amount of \$86.00 dollars addressed to Bobby Janoe (J-25333, A1-150) had been confiscated from Calipatria State Prison (CAL) Inmate Trust Account Office Personnel. CAL Accounting Office received the checks on July 12, 2006 via United State Postal Services. The two (2) additional money orders appeared to be stolen checks, which relate to an investigation conducted by CAL Security and Investigations Officer S. Crittedon completed on July 5, 2006, during which Inmate Janoe was identified as receiving stolen checks.

The envelope containing the (2) two money orders were addressed to:

"Bobby Janoe J-25333
Unit A1-150
P.O. Box 5002
Calipatria, Calif. 92233
Enclosed \$287.67
\$86.00
\$373.67
Enjoy Bro"

The post date on the envelope is July 12, 2006 from San Bernardino and the return address is:

"Robert"
Box 1707
S.B. Ca 92408

The first money order confiscated was from Continental Express" Money Order Company Inc. serial #57-42718592 for the amount of \$287.67 dollars made payable to "Bobby Janoe, Account # J-25333". The money order was typed out, however the information was hand written in visibly bolder black ink similar to the previous checks determined to be stolen.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER J. Sigler, Correctional Lieutenant		DATE SIGNED 8/4/06
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature) S. Olivarez	DATE SIGNED 8/24/06
		TIME SIGNED 2000

STATE OF CALIFORNIA
CALIPATRIA CALIFORNIA OCT 20 2006
RULES VIOLATION REPORT - PART CDEPARTMENT OF CORRECTIONS
PAGE 10 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/01/06	
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input checked="" type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT	<input type="checkbox"/> OTHER

The second money order confiscated was from "Western Union" Money Order Company Inc. serial #08-532968393 for the amount of \$86.00 dollars made payable to "Bobby Janoe, Account # J-25333". The money order was typed out, however the information was hand written in visibly bolder black ink similar to the previous checks determined to be stolen.

It should be noted that earlier checks and money orders received by Inmate Janoe contained similar handwriting covering up the true intended recipients name and personal information were determined to be stolen.

I placed the original envelope and the (2) two money orders into evidence locker number #5 located in Central Control. A copy of this report is being submitted as a supplemental report to the ongoing investigation into illegal activities by Inmate Janoe.

S&I at Calipatria State Prison will continue to monitor the activities of those inmates whose names appear in this report. Their involvement in illegal activities should be closely monitored and documented when new information is discovered.

4) CDC-837, Crime Incident Report authored by P. Weitzeil, Accounting Clerk II which states in part: "On June 13, 2006, at approximately 0900 hours, while performing my duties as Accounting Clerk II in the main Inmate Trust Account Office, I was advised by Account Tech. W. Necuik and account Clerk II G. Shepherd that they had discovered two (2) checks that appeared to be stolen for Inmate Janoe (J-25333, A1-150L). I inspected the checks and noticed that the checks appeared to be altered in that Inmate Janoe's name and CDCR number, appeared to be in a visibly bolder font and was written over another person's name.

Based on my experience and training, I confirmed the checks to be of a suspicious nature and I believed these checks to be stolen.

I continued to maintain contact with S&I Officer Crittendon and was able to confirm through a review of Inmate Janoe's Trust Account that he had received approximately (over) \$4,345.03 that was posted to his Trust Account beginning April 27, 2006. Inmate Janoe had Trust Account withdrawals totaling \$529.52 in legal charges, filing fees, canteen and personal aid to his mother as noted on the original Trust Account Withdrawal orders signed by Inmate Janoe.

On Thursday, July 13, 2006, at approximately 1430 hours, Inmate Janoe's Trust Account Funds were frozen at the request of S&I Lt. G. Stratton, who advised me that the investigation into Inmate Janoe's illegal activities had been completed. Lt. Stratton advised me that Officer Crittendon had confirmed that through his contacts the checks and money orders had been stolen.

As a result of Inmate Janoe's actions and involvement in this illegal activity the State of California and Calipatria State prison has lost a total of approximately \$529.00(52). If the charges were to be reversed or stop payments issue(ed), the State would still incur a loss due to the services already being rendered.

(Continued on CDC-115 RVR Part C)

	SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>	DATE SIGNED <i>8/4/06</i>
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>	DATE SIGNED <i>8/24/06</i>
	TIME SIGNED <i>2000</i>	

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STATE OF CALIFORNIA

RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS
PAGE 11 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input type="checkbox"/> 115 CIRCUMSTANCES	<input checked="" type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER				

5) CDC-115C, Supplemental Report authored by G. Shepherd which states: "On, May 17, 2006 at approximately 1000 hours, while performing my duties processing monies received from the institutional mail room, I discovered that check(s) serial #146931907 for the amount of \$5,727.19 and check serial #146931908 for the amount of \$5,190.87 appeared to have been altered. Calipatria State Prison (CAL) Inmate Trust Account Office Personnel received the checks via the institutional mail. I notified Security and Investigations (S&I) Officer #5 V. Canada that I had received, 2 original checks serial #146931907 for the amount of \$5,727.19 and check serial #146931908 for the amount of \$5,190.87 endorsed for payment to a J. Robert West MD Inc, P.O. Box 2150, Redlands Ca. 92373-0701 and below the physician's name typed in bold letters and underlined, was Inmate Janoe, J25333/A1-150, underneath the original endorsee. Both checks were generated by National Heritage Insurance Company (NHIC) for Medicare Payment. On Tuesday, June 13, 2006, at approximately 1000 hours, I relinquished the checks to Squad Officer Canada.

6) Five (5) of the checks listed below were confirmed stolen by the Security & Investigations Units, 4 of the following checks and/or money orders were deposited into Janoe's trust account.

1. Deposit of \$2,021.51, #010006 from Phoenix Millwork Distributors, Inc.
2. Deposit of \$1,298.02, #6872 from Millwork Products, Inc.
3. Deposit of \$222.20, "Stater Bros. Inc", Money Order #47644617207.
4. Deposit of \$239.98, Travelers Express, Money Order #47541474860.
5. Deposit of \$111.72, from an unknown source at this time.
6. Deposit of \$100.00, from an unknown source at this time.
7. Deposit of \$530.98, from an unknown source at this time.
8. Deposit of \$152.30, from an unknown source at this time.
10. Deposit of check # 8164598, \$225.74, from an unknown source at this time.
11. Deposit of check # 7247788, \$503.98, from an unknown source at this time.
12. Check serial #146931907 for the amount of \$5,727.19
13. Check serial #146931908 for the amount of \$5,190.87
14. Check serial # 206430 for the amount of \$3,187.00
15. Handwritten letter dated 5/16/06. (2 pages)
16. CDC-193 Trust Account Withdrawal Order dated May 25, 2006 for the amount of \$1100.00 signed by Inmate Janoe and noted and dated 5/29/06 by a CC1 staff member.
17. Six (6) enveloped addressed to Inmate Janoe notating items #1 through #11 listed above as being enclosed.
18. Handwritten calculations of amounts received recovered from Inmate Janoe's cell by S&I Officer Crittendon on June 20, 2006.
19. CDC Inmate Trust Account Activity report for Inmate Janoe (J-25333). (2 pages)
20. Memorandum dated June 13, 2006, authored by V. Canada, Security and Investigations.

(Continued on CDC-115 RVR Part C)

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>		DATE SIGNED <i>8/4/06</i>
GIVEN BY: (Staff's Signature) <i>S. Olivarez</i>		DATE SIGNED <i>8/24/06</i>
COPY OF CDC 115-C GIVEN TO INMATE <input checked="" type="checkbox"/>		TIME SIGNED <i>2006</i>

STATE OF CALIFORNIA

INSTITUTIONAL OFFENSES
RULES VIOLATION REPORT - PART C OCT 20 2006DEPARTMENT OF CORRECTIONS
PAGE 12 OF 12

CDC NUMBER J-25333	INMATE'S NAME JANOE	LOG NUMBER 07-06-A-005	INSTITUTION CSP-CAL-IV	TODAY'S DATE 08/04/06
<input type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF: <input type="checkbox"/> 115 CIRCUMSTANCES <input checked="" type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

DISPOSITION: Inmate JANOE was assessed:

One Hundred and Fifty (150) days Forfeiture of Credits consistent with a Division "B" Offence.

Ninety (90) day's loss of phones starting August 4, 2006 and ending on November 3, 2006.

Ten (10) days loss of Yard starting, August 4, 2006 and ending August 13, 2006.

Ninety (90) day's temporary placement in privilege group "C" §3044 (f) (1) (B), starting on August 4, 2006 and to be released on November 3, 2006.

Inmate Trust Withdrawal Order in the amount Five-Hundred and twenty-nine dollars and 52 cents \$529.52 reimbursement for loss of State funds.

Based on the above findings the SHO is recommending that the remaining balance of \$3,816.41 currently in Inmate Janoe' Inmate Trust Account be placed into evidence pending referral to the Imperial Valley District Attorney for prosecution.

Inmate JANOE was counseled & reprimanded regarding (current offence) & advised of future program expectations.

Inmate JANOE was notified as to CCR §3327(a), Non Restoration of Forfeited Credits, {Division "B" Offences}.

Inmate JANOE was advised of his rights to appeal the findings and/or disposition of the hearing, pursuant to CCR §3084.1 and CCR §3312 (b) (1) and advised he would receive a completed copy of this hearing report upon final audit by the Chief Disciplinary Officer (CDO) whose review and signature affirms, reverses, or modifies this disciplinary action and constitutes the First Level of Review for appeal purposes.

SIGNATURE OF WRITER <i>J. Sigler, Correctional Lieutenant</i>	DATE SIGNED <i>8/4/06</i>
GIVEN BY: (Staff's Signature) <i>J. Olivarez</i>	DATE SIGNED <i>8/24/06</i>
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	TIME SIGNED <i>2000</i>

CAL A 0602524

RECEIVED CAL ATTEMS OCT 20 2006

STATE OF CALIFORNIA
CDC - 193 (1/88)

DEPARTMENT OF CORRECTIONS

TRUST ACCOUNT WITHDRAWAL ORDER

To: Warden

Approved

Date AUGUST 4 2006

I hereby request that my Trust Account be charged \$ 529.52 for the purpose stated below and authorize the withdrawal of that sum from my account:

J. 25333

NUMBER

NAME (Signature please, DO NOT PRINT)

State below the PURPOSE for which withdrawal is requested (do not use this form for Canteen or Hobby purchase).

PURPOSE DISPOSITION OF RV07-06-A-005 FedLOSS OF FUNDSBY CDCR

PRINT PLAINLY BELOW name and address of person to whom check is to be mailed.

NAME

ADDRESS

Robert Jayne

PRINT YOUR FULL NAME HERE